IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

CIVIL APPLICATION NO. 1236 of 2004

In

Second Apeal No.67 of 2002

Sampat Yeshwant Patil and Ors.. Applicants

V/s

Nivrutti Y. Patil and Ors. ...Respondents

Shri A.V.Anturkar for Applicants

None present for Respondent

CORAM:S.R.SATHE,J.

DATED:22nd June 2006

P.C.:-

1. Heard Shri Anturkar for the Applicant. None present on behalf of the Respondent.

2. The learned Advocate for the applicant submits that so far as Respondent no.6F is concerned, the Sarpancha of Grampanchyat has issued the certificate whereby it is informed that Respondent no.6f is not traceable and his whereabouts are not known for last about 25 years and as such it would be necessary to presume the civil death of the said Respondent no.6F

and as such he does not want to prosecute this application No.1236 of 2002 further. He also submits that treating civil death of respondent No.6F, he intends to file application to bring his heirs on record and as such withdraws the present application.

3. Hence Civil Application no.1236 of 2004 stands disposed of as withdrawn.

4. The applicant may file separate application as submitted by him which of course will be scrutinized independantly.

(S.R.SATHE,J.)